



2-20-07 JH 1638

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/534,593-Conf. #7806
	Filing Date	October 31, 2005
	First Named Inventor	Motoyuki ASHIKARI
	Art Unit	1638
	Examiner Name	P. T. Bui
Total Number of Pages in This Submission	Attorney Docket Number	SHZ-024US

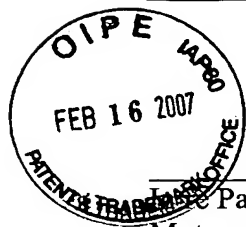
ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Jeanne M. DiGiorgio		
Date	February 16, 2007	Reg. No.	41,710

Express Mail Label No. EV 956 472 345 US Dated: February 16, 2007



Docket No.: SHZ-024US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Internal Patent Application of:
Motoyuki Ashikari *et al.*

Application No.: 10/534,593

Confirmation No.: 7806

Filed: October 31, 2005

Art Unit: 1638

For: GENES FOR INCREASING GRAIN YIELD
AND USES THEREOF (as Amended)

Examiner: P. T. Bui

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed January 19, 2007. No extension of time is required.

The Examiner has required restriction to one of the following inventions:

- Group I: Claims 1-3, 6-12, 16 and 18, drawn to a DNA sequence encoding SEQ ID NO:3 and method of using the DNA.
- Group II: Claims 4, 6-12 and 18, drawn to a ribozyme.
- Group III: Claims 5-12 and 18, drawn to a cosuppression RNA.
- Group IV: Claim 13, drawn to a protein.
- Group V: Claim 14, drawn to a method of making the protein.
- Group VI: Claim 15, drawn to an antibody.

Group VII: Claim 17, drawn to a method of producing a plant having the increased particle-bearing number phenotype.

Group VIII: Claim 19, drawn to a method of determining the particle-bearing number.

Accordingly, Applicants hereby elect Group I (1-3, 6-12, 16 and 18), without traverse, drawn to a DNA sequence encoding SEQ ID NO:3 and method of using the DNA.

Further, Applicants note that the method of claim 19 (Group VIII) depends from elected claim 1 (Group I). Accordingly, Applicants respectfully request that claim 19 (Group VIII) be rejoined with Group I upon the finding that claim 1 is allowable.

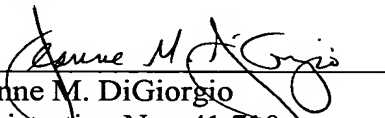
SUMMARY

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SHZ-024US from which the undersigned is authorized to draw.

If the Examiner believes that a telephone conversation with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Dated: February 16, 2007

Respectfully submitted,

By 
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